

THOMAS J. FERGUSON  
COUNTY ATTORNEY

## BLACK HAWK COUNTY ATTORNEY

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June 17<sup>th</sup> 2009

### TITLE OPINION

Black Hawk County Conservation Board

Dear Members,

At your request, I have examined the Abstract of Title of the below-described property. Said Abstract contains 77 pages and 81 entries. This Abstract is last certified to June 2<sup>nd</sup> 2009 at 8:00 A.M.

**Lots Nos. 6 and 7 in Evergreen Acres, Black Hawk County, Iowa, now in the City of Waterloo, Iowa.**

**AND**

**Parcel "D" of Plat of Survey filed in Doc. #2009-22962 being a part of the Southwest Quarter of the Southeast Quarter of Section No. 3, Township No. 89 North, Range No. 13 West of the Fifth Principal Meridian, Black Hawk County, Iowa.**

I am of the opinion that said Abstract shows that on the date of the last continuation there was a good and merchantable title to said premises vested in the name of **Deery Investments Inc.**, subject to the following:

1. Entry #45 indicates the property is Zoned M-2 Heavy Industrial District under Ordinance 2479 filed in Misc Record 181, page 609.
2. Entry #52 indicates the property may be subject to the Black Hawk County Soil Conservation District Notice of Agreements filed 4/16/1981 at 239 Misc 29.
3. Entries #80 and 81 indicate the property is subject to Waterloo Municipal Airport Zoning Resolution and Ordinance filed at 106 Misc 495 and the Amended Airport Area Development Plan filed August 12 2005 at Doc. #2006-04060.

4. Entries #76, #77 and #78 indicated that the property has been granted a special use permit for a recycling yard. Recent contact with the Planning and Zoning Office in Waterloo indicated that a new special use permit has been approved in May 2009 in regard to the buyers intended use and said permit would supersede the prior permit.
5. An unnumbered entry indicates taxes for year payable 08/09 are in the amount of \$14,418.00 and are paid.

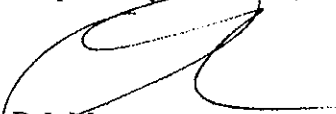
Please satisfy yourself by phoning the City, Town Clerk, Township Clerk, Board of Supervisors or any other taxing body with the power to adopt resolutions of necessity for special assessments, that no such resolutions of necessity for special assessment have now been adopted covering the above described real estate as those are now liens to the date of adoption but will not appear in the abstract until certified by the County Auditor to the County Treasurer.

In issuing this opinion, I pass upon the title only as shown in the above-described Abstract assuming the genuineness of all instruments. I can give no reports on the rights of parties in possession, or easements existing by virtue of usage as the same do not appear on the Abstract.

You should also ascertain that no improvements in the form of either labor or materials have been placed upon the premises within the last ninety days and still remain unpaid for; and that there are no unpaid sewage disposal bills or other uncertified municipal charges at the City Hall, as these could constitute liens without being shown of record.

You should determine whether any solid wastes, hazardous substances, pollutants, above or below ground storage tanks, drainage wells, water wells, landfill sites or other environmentally regulated conditions exist on the property. Such conditions are not ordinarily shown in the Abstract, but they may result in injunctions, fines, required cleanup, or other remedial actions under federal, state or local laws. These laws may impose liens against the property and personal liability against the owner, even though the owner did nothing to create the condition, and acquired the property without knowing it.

Respectfully submitted,



D.J. Mason  
Assistant County Attorney

DJM:srm

## BLACK HAWK COUNTY REAL ESTATE ASSESSMENT AND TAX INFORMATION

<b>Parcel ID</b>		<b>Deed Holder</b>	<b>Tax Mail to Address</b>	
<b>8913-03-451-004</b>		BLACK HAWK COUNTY	BLACK HAWK COUNTY 2410 W LONE TREE RD CONSERVATION BOARD CEDAR FALLS, IA 50613-0000	
<b>PDF No.</b>	<b>Map Area</b>	<b>Contract Buyer</b>		
13	WATERLOO-C			
<b>Property Address</b>			<b>Current Recorded Transfer</b>	
1346 W AIRLINE HY WATERLOO, IA 50703-9628			<b>Date Drawn</b>	<b>Date Filed</b>
			6/24/2009	6/25/2009
			<b>Recorded Document</b>	<b>Type</b>
			2009 025363	D

## SALES

Date	Amount	NUTC / Type
4/1/2005	200,000	COMMERCIAL SALE OF TWO OR MORE PARCELS-SINGLE CONSIDERATION / Deed
6/8/1999	120,000	NORMAL ARMS-LENGTH TRANSACTION / Deed

## BUILDING PERMIT

Date	Number	Amount	Reason
2/12/2008	FC	0	Misc
2/1/2006	WA HA 1530	3,762	Furnace
2/1/2006	WA HA 1522	100	Misc
9/22/2005	WA 1947	20,500	Bath Remodel

## ASSESSED VALUES/CREDITS

Year		Class				
2009		C				
100% Value	Land	Dwelling	Building	M/E	Total	Acres
	49,050	0	280,260	0	329,310	0
Taxable Value	Land	Dwelling	Building	M/E	Total	
	49,050	0	280,260	0	329,310	

Year		Class				
2008		C				
100% Value	Land	Dwelling	Building	M/E	Total	Acres
	49,050	0	280,260	0	329,310	0
Taxable Value	Land	Dwelling	Building	M/E	Total	
	49,050	0	280,260	0	329,310	

Year		Class				
2007		C				
100% Value	Land	Dwelling	Building	M/E	Total	Acres
	49,050	0	280,260	0	329,310	0
Taxable Value	Land	Dwelling	Building	M/E	Total	
	48,918	0	279,507	0	328,425	

## TAX INFORMATION ASSESSMENT YEAR 2007 PAYABLE 2008/2009

Tax District	941151 - WATERLOO AIRPORT URB TIF AMD1					
	Gross Value	Taxable Value	Military Exemption	Levy Rate	Gross Tax	Net Tax
Corp	329,310	328,425	0	43.32425	\$14,228.77	\$14,228.00
Nocorp	0	0	0	0	\$0.00	
	Homestead Credit	Disabled Veteran Credit	Property Tax Relief Credit	Ag Credit	Family Farm Credit	
Corp	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Nocorp			\$0.00			

## LEGAL

EVERGREEN ACRES LOT 6 LOT 7

## LAND

Basis	Front	Rear	Side 1	Side 2	Lot	Area	Acres
Acres x Rate						43560	1
Acres x Rate						43560	1
Totals:						87120	2

## COMMERCIAL BUILDINGS AND ADDITIONS

Type	Description	Year Built	Area	Stories
Metal Office	BLDG 1	1973	4800	1
Additional Information	Style Metal / Steel Frame			
	Width 60			
	Base Square Feet 4,800			
	Basement Square Feet 4,800			
	GBA Square Feet 4800			
Plumbing	Item			Quantity
	Toilet Room			2
Adjustment	Item			Quantity
	Canopy - attached			40
	Bsmt Finish			2400
Extras	Description	Item Count	Extended Description	
	C3LK ENTRY	1	Quantity= 48, Units=Square Feet, Height= 8	
Verticals & Horizontals	Description			Size
	Ftr & Fdtn C'Blk or Tile			LF: 0
	Exterior Wall Metal/ Stl/ Insu			LF: 0
	Exterior Wall Brick Veneer			LF: 0
	Interior Wall Panel - Softwood			LF: 0
	Interior Wall Drywall or Equiv			LF: 0
	Interior Wall Unfinished			LF: 0
	Wall Facing Incl. w / Walls			SF: 0
	Windows Incl. w / Base			LF: 0
	Fronts/Doors Incl. w / Base			LF: 0
	Basement Excavation, Floor, Li			SF: 0
	Roof 4-Ply Compo/Stl Bar Joist			SF: 0
	Ceiling Suspended Blk-Fiber			SF: 0
	Struct. Floor Earth			SF: 0
	Struct. Floor 8" R'Concrete			SF: 0
	Floor Cover Asphalt Tile			SF: 0
	Partitions Office			SF: 0
	Partitions Finished Storage			SF: 0
	Framing Steel - Light			SF: 0
	HVAC Combination FHA - AC			SF: 0
	Lighting Office			SF: 0

## YARD EXTRAS

Description	Year Built	Quantity	Plot No.	Extended Description
Paving	2005	1		15,200 SF, Concrete Parking, Average Pricing

